

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

☐ Valuation of Security ☐ Assumption of Executory Contract or Unexpired Lease ☐ Lien Avoidance

Last Revised August 1, 2020

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

IN RE:

Case No. **2:17-bk-19467**

Judge _____

Mercado, Sandra

Debtor(s)

CHAPTER 13 PLAN AND MOTIONS

☐ Original

☒ Modified/Notice Required

Date: **June 4, 2021**

☐ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney:

Initial Debtor: **SM**

Initial Co-Debtor:

Part 1: Payment and Length of Plan

- a. The debtor shall pay \$ **220.00** per **month** to the Chapter 13 Trustee, starting on **7/1/2021** for approximately **11** months.
- b. The debtor shall make plan payments to the Trustee from the following sources:
☒ Future Earnings
☐ Other sources of funding (describe source, amount and date when funds are available):
- c. Use of real property to satisfy plan obligations:
☐ Sale of real property
 Description:
 Proposed date for completion: _____
☐ Refinance of real property
 Description:
 Proposed date for completion: _____
☐ Loan modification with respect to mortgage encumbering property
 Description:
 Proposed date for completion: _____
- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.
- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☒ NONE

- a. Adequate protection payments will be made in the amount of \$ **None** to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).
- b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

- a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
None			

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: [X]NONE

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
None					

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: [X] NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
None					

c. Secured claims excluded from 11 U.S.C. 506: [X] NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation
None				

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments [X] NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
None							

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim

shall discharge the corresponding lien.

e. Surrender ☒ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
None			

f. Secured Claims Unaffected by the Plan ☐ NONE

The following secured claims are unaffected by the Plan:

Deutsche Bank NA c/o SLS - First Mortgage (Proof of Claim 23)

Deutsche Bank NA c/o SLS - Second Mortgage (Proof of CLaim 1)

g. Secured Claims to Be Paid in Full Through the Plan ☒ NONE

Creditor	Collateral	Total Amount to be Paid through the Plan
None		

Part 5: Unsecured Claims ☐ NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

___ Not less than \$ _____ to be distributed *pro rata*

___ Not less than _____ percent

☒ *Pro Rata* distribution from any remaining funds

b. Separately Classified Unsecured Claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
None			

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
None				

Part 7: Motions ☐ NONE

NOTE: All plans containing motions must be served on all affected lienholders, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). [] NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
None							

b. Motion to Void Liens and Reclassify Claim from Secured to Completely Unsecured. [X] NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Total Amount of Lien to be Reclassified
None						

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. [X] NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
None					

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Sections 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) **Trustee Commissions**
- 2) **Other Administrative Claims**
- 3) **Secured Claims**
- 4) **Lease Arrearages**
- 5) **Priority Claims**
- 6) **General Unsecured Claims**

d. Post-petition claims The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 4/6/2018

Explain below why the Plan is being modified.	Explain below how the Plan is being modified.
Increase of Mortgage Payments	Increase of Mortgage Payments

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, Chapter 13 Plan and Motions, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: June 4, 2021

/s/ Sandra Mercado

Debtor

Date: June 4, 2021

Joint Debtor

Date: June 4, 2021

/s/ Edward Hanratty

Attorney for the Debtor(s)

In re:
Sandra Mercado
Debtor

Case No. 17-19467-VFP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Jun 11, 2021

User: admin
Form ID: pdf901

Page 1 of 3
Total Noticed: 46

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 13, 2021:

Recip ID	Recipient Name and Address
db	Sandra Mercado, 445 Fern Pl, Elizabeth, NJ 07202-2705
cr	+ Specialized Loan Servicing LLC, P.O. Box 340514, Tampa, FL 33694-0514
cr	+ Wells Fargo Bank, N.A., d/b/a Wells Fargo Dealer S, 1451 Thomas Langston Rd., Winterville, NC 28590-8872
516814743	++ BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238 address filed with court:, Bank of America, PO Box 982235, El Paso, TX 79998-2235
516857440	+ Deutsche Bank National Trust Co.,Trustee(See 410), c/o Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386
516814749	First Premiere Bank, PO Box 5524, Sioux Falls, SD 57117-5524
516872104	+ National Collegiate Student Loan Trust 2007-3, Po Box 4275, Norcross, GA 30091-4275
516814759	SLS, 8742 Lucent Blvd Ste 300, Highlands Ranch, CO 80129-2386
516814762	Target, PO Box 660170, Dallas, TX 75266-0170
516895539	Wells Fargo Bank N.A., d/b/a Wells Fargo Dealer Se, P.O. BOX 19657, IRVINE, CA 92623-9657
516814765	Wells Fargo Dealer Services, PO Box 168048, Irving, TX 75016-8048

TOTAL: 11

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	Jun 11 2021 21:04:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpreion03.ne.ecf@usdoj.gov	Jun 11 2021 21:04:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
516814742	Email/PDF: gecsedl@recoverycorp.com	Jun 11 2021 22:04:11	Amazon, PO Box 960013, Orlando, FL 32896-0013
516875899	+ Email/Text: bankruptcy@sccompanies.com	Jun 11 2021 21:01:00	Amerimark, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
516814744	Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jun 11 2021 21:03:00	Brylane Home, PO Box 659728, San Antonio, TX 78265-9728
516814745	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jun 11 2021 22:05:47	Capital One, PO Box 30285, Salt Lake City, UT 84130-0285
516814747	Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jun 11 2021 21:03:00	Comenity Bank, PO Box 182273, Columbus, OH 43218-2273
517067046	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jun 11 2021 21:03:00	Comenity Capital Bank/Paypal Credit, c/o Weinstein & Riley, PS, 2001 Western Ave., Ste 400, Seattle, WA 98121-3132
516895266	+ Email/Text: bankruptcy@sccompanies.com	Jun 11 2021 21:05:00	Country Door, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
516814748	Email/Text: bankruptcy@sccompanies.com	Jun 11 2021 21:05:00	Direct Charge, 1112 7th Ave, Monroe, WI 53566-1364
516895268	+ Email/Text: bankruptcy@sccompanies.com		

District/off: 0312-2

User: admin

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Date Rcvd: Jun 11, 2021

Form ID: pdf901

Total Noticed: 46

		Jun 11 2021 21:05:00	Direct Charge, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
516895269	+ Email/Text: bankruptcy@sccompanies.com	Jun 11 2021 21:05:00	Ginny's, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
516814750	Email/Text: bankruptcy@sccompanies.com	Jun 11 2021 21:05:00	Ginny's, 1112 7th Ave, Monroe, WI 53566-1364
516814751	Email/PDF: Citi.BNC.Correspondence@citi.com	Jun 11 2021 22:04:32	Home Depot, PO Box 790328, Saint Louis, MO 63179-0328
516814746	Email/PDF: ais.chase.ebn@americaninfosource.com	Jun 11 2021 22:04:20	Chase, PO Box 15298, Wilmington, DE 19850-5298
516928866	Email/PDF: MerrickBKNotifications@Resurgent.com	Jun 11 2021 22:04:09	MERRICK BANK, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
516814752	Email/PDF: MerrickBKNotifications@Resurgent.com	Jun 11 2021 22:04:08	Merrick Bank, PO Box 9201, Old Bethpage, NY 11804-9001
517045861	+ Email/Text: bankruptcydpt@mcmcg.com	Jun 11 2021 21:04:00	Midland Funding LLC, PO Box 2011, Warren, MI 48090-2011
516814753	Email/Text: bankruptcy@sccompanies.com	Jun 11 2021 21:05:00	Midnight Velvet, 1112 7th Ave, Monroe, WI 53566-1364
516895267	+ Email/Text: bankruptcy@sccompanies.com	Jun 11 2021 21:05:00	Midnight Velvet, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
516814754	Email/Text: bankruptcy@sccompanies.com	Jun 11 2021 21:05:00	Montgomery Ward, 1112 7th Ave, Monroe, WI 53566-1364
516895270	+ Email/Text: bankruptcy@sccompanies.com	Jun 11 2021 21:05:00	Montgomery Ward, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
516814755	Email/PDF: gecsed@recoverycorp.com	Jun 11 2021 22:06:54	Old Navy, PO Box 530942, Atlanta, GA 30353-0942
516814756	Email/Text: bankruptcy@sccompanies.com	Jun 11 2021 21:05:00	One Step Ahead, PO Box 2866, Monroe, WI 53566-8066
517068239	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jun 11 2021 22:05:57	Portfolio Recovery Associates, LLC, c/o Capital One Bank, N.a., POB 41067, Norfolk VA 23541
517068337	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jun 11 2021 22:06:55	Portfolio Recovery Associates, LLC, c/o Rcs Direct Marketing/Household Bank, POB 41067, Norfolk VA 23541
516814757	Email/PDF: gecsed@recoverycorp.com	Jun 11 2021 22:04:11	PayPal Credit, PO Box 105658, Atlanta, GA 30348-5658
516908086	Email/Text: bnc-quantum@quantum3group.com	Jun 11 2021 21:03:00	Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
516895265	+ Email/Text: bankruptcy@sccompanies.com	Jun 11 2021 21:05:00	Seventh Avenue, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
516814758	Email/Text: bankruptcy@sccompanies.com	Jun 11 2021 21:05:00	Seventh Avenue, 112 W 7th St, Monroe, WI 53566-1099
516814760	Email/Text: bankruptcy@sccompanies.com	Jun 11 2021 21:01:00	Stoneberry, PO Box 2820, Monroe, WI 53566-8020
516814761	Email/PDF: gecsed@recoverycorp.com	Jun 11 2021 22:04:10	Synchrony Bank, PO Box 105972, Atlanta, GA 30348-5972
516814763	Email/Text: bankruptcy@td.com	Jun 11 2021 21:04:00	TD Bank, 1701 Marlton Pike E, Cherry Hill, NJ 08003-2390
516875554	+ Email/Text: bncmail@w-legal.com	Jun 11 2021 21:04:00	TD Bank USA, N.A., C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
516814764	Email/Text: bankruptcy@sccompanies.com	Jun 11 2021 21:05:00	Through the Country Door, 1112 7th Ave,

District/off: 0312-2

User: admin

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Date Rcvd: Jun 11, 2021

Form ID: pdf901

Total Noticed: 46

Monroe, WI 53566-1364

TOTAL: 35

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
517065864	*+	Deutsche Bank National Trust Co. Trustee (See 410), c/o Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386

TOTAL: 0 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 13, 2021

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 11, 2021 at the address(es) listed below:

Name	Email Address
Brian C. Nicholas	on behalf of Creditor Deutsche Bank National Trust Company as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2006- HE3 Mortgage Pass-Through Certificates, Series 2006-HE3 bnicholas@kmlawgroup.com, bkgroup@kmlawgroup.com
Edward Hanratty	on behalf of Debtor Sandra Mercado thanratty@centralnewjerseybankruptcylawyer.com aaguirre@centralnewjerseybankruptcylawyer.com
Gavin Stewart	on behalf of Creditor Specialized Loan Servicing LLC bk@stewartlegalgroup.com
John R. Morton, Jr.	on behalf of Creditor Wells Fargo Bank N.A., d/b/a Wells Fargo Dealer Services ecfmail@mortoncraig.com, mortoncraigecf@gmail.com
Marie-Ann Greenberg	magecf@magtrustee.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6